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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/052,325
	Filing Date	March 31, 1998
	First Named Inventor	John E. Stockenberg
	Group Art Unit	2771
	Examiner Name	R. Ho
Total Number of Pages in This Submission	//	Attorney Docket Number EMC-97-137-A

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/89) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): Petition for Revival (Unintentional); Postcard
<input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Leanne J. Fitzgerald, EMC Corporation
Signature	<i>[Signature]</i>
Date	11.15.01

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CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: <u>Nov 19, 2001</u>	
Typed or printed name	Patricia MacMunn
Signature	<i>Patricia MacMunn</i>
Date	11-19-01

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PTO/SB/17 (11-01)

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**FEE TRANSMITTAL
for FY 2002**

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 1280.00**Complete if Known**

Application Number	09/052,325
Filing Date	March 31, 1998
First Named Inventor	John E. Stockenberg
Examiner Name	R. Ho
Group Art Unit	2771
Attorney Docket No.	EMC-97-137

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:

Deposit Account Number	05-0889
Deposit Account Name	EMC Corporation

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments
☐ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.
FEE CALCULATION**1. BASIC FILING FEE**

Large Entity | Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$)**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity | Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity | Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 60	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,610	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(g)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment of property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for examination of a design application	

1,280.00

Other fee (specify) _____
*Reduced by Basic Filing Fee Paid **SUBTOTAL (3) (\$)** 1,280.00**SUBMITTED BY**Name (Print/Type) **Leanne J. Fitzgerald**Registration No.
(Attorney/Agent)

40,606

Complete if applicableTelephone **508-435-1000**Date **11-16-01**

Signature

*Leanne J. Fitzgerald***WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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EMC Corporation
Office of the General Counsel
35 Parkwood Drive
Hopkinton, Massachusetts

Fax: 508-293-7189
Voice: 508-435-1000

To: Assistant Commissioner for Patents Art Unit: 2172 Examiner: R. Ho Tel: 703.305.3800 Fax: 703.746.7239		Date: January 18, 2002 Atty Docket No. EMC-97-137
From: Leanne J. Fitzgerald Tel: 508.435.1000 ext. 77256		No. pages: 12 including this cover sheet
<input type="checkbox"/> Original Will Follow Via: <input type="checkbox"/> Regular Mail <input type="checkbox"/> Overnight Delivery <input type="checkbox"/> Other		
<input checked="" type="checkbox"/> Original Will Not Follow		

Applicant: John E. Stockenberg
Serial No.: 09/052,325

Art Unit: 2172
Examiner: R. Ho

Filing Date: March 31, 1998

**Title: METHOD AND SYSTEM FOR ASSISTING IN BACKUPS AND RESTORE OVER
 DIFFERENCE CHANNELS**

Dear Sir/Madam:

This is a copy of a Petition for Unintentional Revival with an Amendment and Response to Office Action. Since we have not received confirmation of receipt from the U.S. Patent Office, we are submitting this correspondence to you via facsimile. Please send confirmation of receipt. Thank you.

Leanne J. Fitzgerald
 Leanne J. Fitzgerald, Reg. No. 40,606

Certificate of Transmission 37 C.F.R. § 1.8

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Typed or printed name of person signing this Certificate:

PATRICIA MACMUNN

Jan 18, 2002
 Date

Patricia MacMunn
 Signature

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